

REMARKS

Claims 1-12 are pending in the Application. Applicants amended claims 1-3, 5-7 and 9-11 to broaden the scope of the claimed subject matter and not to overcome prior art. Hence, no prosecution history estoppel arises from the amendments to claims 1-3, 5-7 and 9-11. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-12 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 1-3, 5-7 and 9-11 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. *See Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

Applicants respectfully assert that no new matter was introduced by broadening the scope of claims 1-3, 5-7 and 9-11. Applicants further assert that there is support in the Specification for broadening the scope of claims 1-3, 5-7 and 9-11.

Claims 1-3, 5-7 and 9-11 remain rejected under 35 U.S.C. §102(e) as being anticipated by Thompson et al. (U.S. Patent No. 6,725,382) (hereinafter "Thompson"). Further, claims 4, 8 and 12 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Mirov et al. (U.S. Patent No. 6,138,236) (hereinafter "Mirov"). Applicants respectfully traverse these rejections for at least the reasons stated in the response with a mailing date of July 13, 2006.

Applicants file herewith a request for continued examination and respectfully request the Examiner to withdraw the finality of the Office Action (9/27/2006) and to enter the amendments to claims 1-3, 5-7 and 9-11.

CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-12 in the Application are in condition for allowance, and respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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